



Attorney Docket 116.065

**CERTIFICATE OF MAILING**

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Irving M. Fishman  
Type or Print Name

*Irving M. Fishman*  
Signature

September 14, 2007  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Group Art Unit: 1625

BENNEKER, et al

Examiner: Chang

SERIAL NO: 09/200,743

FILED: November 30, 1998

FOR: 4-PHENYLPYPERIDINE COMPOUNDS

Mail Stop: Non-Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Amendment  
and  
Request For Withdrawing of  
Terminal Disclaimer Requirement

Sir:

Further to the above-identified application, Applicant respectfully requests that the following amendment be entered in the above-identified Application and the claims considered in light thereof.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3.

**Remarks/Arguments** begin on page 4.

Fee Calculation:

Prior to this amendment, the previously paid claim fee included the fee for 20 total claims and 3 independent claims. Upon entry of the amendment there will 1 total claim and 1 independent claim. Hence, there is no an additional claim fee owing due to this amendment.

There is currently no outstanding action pending to which a reply is due and thus, no extension fee is needed.

Summary of Claim Amendments

Claims 1-29 and 39 have been previously canceled.

Claims 30-38 were pending before this amendment and deemed allowable.

Claims 30-38 were involved in an interference from which the present claims 31-38 were awarded to Applicant.

Claims 30 and 32-38 are canceled in this amendment, subject to Applicant refilling the same in a further application.

Claim 31 is the only pending claim after entry of this amendment.